



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/768,086	02/02/2004	Kouichi Takamine	50023-218	6559
<div>7590 02/20/2009 McDERMOTT, WILL & EMERY 600 13th Street, N.W. Washington, DC 20005-3096</div>				
EXAMINER				
TAYLOR, NICHOLAS R				
ART UNIT		PAPER NUMBER		
2441				
MAIL DATE		DELIVERY MODE		
02/20/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/768,086

Applicant(s)

TAKAMINE ET AL.

Examiner

Nicholas Taylor

Art Unit

2441

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/ISD)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 2/6/09

DETAILED ACTION

1. Claims 1-15 have been presented for examination and are rejected. The claim objections are withdrawn in light of the recent amendments.

Response to Arguments

2. Applicant's arguments filed November 19th, 2008, have been fully considered but they are deemed not persuasive.

3. In the remarks, applicant argued in substance that:

(A) The currently amended claim language requires that the application is configured to send an output image change instruction *without the image data*. This is achievable because a copy of the application data has been received in advance. The prior art of Goswami, however, fails to suggest or describe such a system, as the receiving terminal in Goswami does not retain a local copy of the file that is edited on the sending terminal.

As to point (A), Goswami explicitly states that "[o]nce an uploaded file...has been opened, a replica of the file is downloaded to the local interface of each of the session participants" (paragraph 0066; see also paragraph 0065 where a "replica" is "downloaded to a memory area of each of the session participant's machines" in

advance). Afterwards, the *changes* are sent to the other participants (paragraph 0066). Goswami further refers to such changes as "edit" instructions that are sent to the receiving terminals, received, and "applied" (paragraph 0048). Further, this is achieved through a common application interface (e.g., see figs. 3a, 3b and 4). It is respectfully submitted that the Applicant has not referenced a portion of Goswami that requires sending full image data with each of Goswami's transmitted output image change instructions.

Claim Objections

4. Claim 5 is objected to because of the following informalities:

connecting language is necessary within "an audio-input unit a second time-control unit" and "the video signal, the audio signal with the output image change instruction."

Appropriate correction is required.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Goswami, Dinkar (U.S. PGPub 2003/0105816).

7. As per claims 1, 7, 12, and 14, Goswami teaches a cooperative application system for controlling a first application on a sending terminal operated by a master user and a second application on a receiving terminal operated by a slave user, the terminals being connected via a network, the system comprising: (Goswami, see paragraph 0048 and fig. 1 overviews)

the sending terminal including

a first application operation unit that is operable to operate the first application that reads application data to output image data to a first display unit, wherein the first application is the same as the second application; (Goswami, see fig. 1 architecture and same application of figs. 2a, 2b, 3a, 3b, and 4)

a first application-control unit that is operable to give an output image change instruction without the image data to the working first application and a sending unit, wherein the instruction is made by a preset condition of the first application or the master user and controls both the first application and the second application (Goswami, paragraphs 0048, 0050, 0052, 0053, 0065, and 0066, e.g., where a user initiates an edit operation that gives an output image change instruction without image data)

the first application that is operable to change the output image of the first display unit according to the output image change instruction; and (Goswami, see, e.g., changes to output image in figs. 3a, 3b, and 4)

the sending unit that is operable to send the output image change instruction to the receiving terminal; and the receiving terminal including a second application operation unit that is operable to operate the second application that reads the application data and outputs the image data to a second display unit wherein the application data is received in advance as an electronic file; (Goswami, see, e.g., paragraph 0066; see also paragraph 0065 where a "replica" is "downloaded to a memory area of each of the session participant's machines" in advance)

a receiving unit that is operable to receive the output image change instruction without the image data from the sending terminal; (Goswami, paragraphs 0048 and 0052; see also the structure of fig. 1 devices)

a second application-control unit that is operable to give the received output image change instruction to the working second application, and (Goswami, see paragraphs 0048, 0050, 0052, 0053, 0065, and 0066; see also resulting output of figs. 3, 3a, 3b, and 4)

the second application that is operable to change the output image of the second display unit by the output image change instruction (Goswami, see, e.g., changes to output image in figs. 3a, 3b, and 4).

8. As per claims 2 and 8, Goswami teaches the system further wherein at least one of said sending terminal and said receiving terminal further comprises an application-data-management unit that is operable to check at least one matching property of:

whether or not a type of the first application is the same as the second application; whether or not the status of the first application is the same as the second application; and whether or not the application data of the first application is the same as the second application (Goswami, see, e.g., paragraph 0071).

9. As per claim 3, Goswami teaches the system further wherein said sending unit is operable to send to a specified server, address information of said receiving terminal, contents to be used by the second application, and a send instruction to send said contents to said receiving terminal; and wherein said receiving unit is operable to receive said contents from said server and give said contents to the second application (Goswami, paragraphs 0064-0066 and fig. 2 process with resulting interactions after sending the content and address information to the receiving unit).

10. As per claim 4, Goswami teaches the system further wherein said sending unit is operable to send the contents to be used by second application to a specific server, and send address information of said server to the receiving unit of said receiving terminal; and wherein said receiving unit is operable to receive said address information of said server, receive said contents from said server based on the received address information of said server, and give said contents to the second application (Goswami,

paragraphs 0064-0066 and fig. 2 process with resulting interactions after sending the content and address information to the receiving unit).

11. As per claims 5, 13, and 15, Goswami teaches the system further wherein the output image change instruction is multiplexed, via a first time-control unit of said sending terminal, with a video signal and an audio signal that the master user of the sending terminal inputs by a video-input unit and an audio-input unit

a second time-control unit of said receiving terminal is operable to demultiplex the received instruction into the output image change instruction, the video signal and the audio signal, and synchronize and output the video signal, the audio signal with the output image change instruction (Goswami, see, e.g., audio/video synchronization of paragraphs 0053, 0059 and 0060).

12. As per claim 6, Goswami teaches the system further wherein the video signal input from said video-input unit is a high-definition quality video signal unit (Goswami, paragraphs 0053 and 0060).

13. As per claim 9, Goswami teaches the system further wherein said application-control unit is operable to further receive an output image change instruction from the second network terminal, and give the output image change instruction from the second network terminal to the first application (Goswami, paragraphs 0048 and 0052; see also the structure of fig. 1 devices).

14. As per claim 10, Goswami teaches the system further wherein said application-control unit is operable to switch according to a setting by a user between a remote-control mode that gives the output image change instruction from the second network terminal to the first application, and a normal-control mode that gives the output image change instruction to the first application (Goswami, see the mode controls of paragraphs 0069, 0070, 0073, and corresponding example user interfaces of fig. 3, 3a, and 3b).

15. As per claim 11, Goswami teaches the system further comprising a first time-control unit that is operable to multiplex the output image change instruction from said application-control unit with a video signal and an audio signal that the master user of the network terminal input by a video-input unit and an audio-input unit, and give the multiplexed instruction to the second network terminal (Goswami, see, e.g., audio/video synchronization of paragraphs 0053, 0059 and 0060).

Conclusion

16. Applicant's amendment necessitated any new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Taylor whose telephone number is (571) 272-3889. The examiner can normally be reached on Monday-Friday, 8:00am to 5:30pm, with alternating Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on (571) 272-3880. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/768,086
Art Unit: 2441

Page 10

/NT/
Nicholas Taylor
Examiner
Art Unit 2441

/Larry D Donaghue/
Primary Examiner, Art Unit 2454